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FILED

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BUREAU OF REAL ESTATE

By B. Nicholas

8 BEFORE THE BUREAU OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Application of)
12)
13 KATRINA LYNN GIACALONE,)
14 Respondent.)

No. H- 6382 SAC

STATEMENT OF ISSUES

15 The Complainant, TRICIA PARKHURST, in her official capacity as
16 Supervising Special Investigator of the State of California, brings this Statement of Issues
17 against KATRINA LYNN GIACALONE ("Respondent") and is informed and alleges as
18 follows:

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20 Respondent made application to the Bureau of Real Estate of the State of
21 California for a real estate salesperson license on or about September 25, 2015.

22 2

23 On or about July 6, 2005, in the Superior Court of California, County of
24 Napa, Case No. CR121405, Respondent was convicted of violating two counts of Section
25 487(a) of the California Penal Code (grand theft by embezzlement), each felonies and
26 crimes which bear a substantial relationship under Section 2910 of Title 10 of the California
27

1 Code of Regulations to the qualifications, functions, or duties of a real estate licensee.¹

2 3

3 The crimes for which Respondent was convicted, as alleged at Paragraph 2,
4 above, constitute cause for the denial of Respondent's application for a real estate license
5 pursuant to Sections 480(a), 10177(b) and 10177(j) of the Business and Professions Code.

6 WHEREFORE, Complainant prays that the above-entitled matter be set for
7 hearing and, upon proof of the charges contained herein, that the Real Estate Commissioner
8 refuse to authorize the issuance of, and deny the issuance of a real estate salesperson license
9 to Respondent, and for such other and further relief as may be proper under other provisions
10 of law.

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TRICIA PARKHURST
Supervising Special Investigator

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16 Dated at Sacramento, California
17 this 17th day of April, 2016.

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DISCOVERY DEMAND

20 Pursuant to sections 11507.6, *et seq.* of the *Administrative Procedure Act*, the
21 Bureau hereby makes demand for discovery pursuant to the guidelines set forth in the
22 *Administrative Procedure Act*. Failure to provide discovery to the Bureau may result in the
23 exclusion of witnesses and documents at the hearing or other sanctions that the Office of
24 Administrative Hearings deems appropriate.

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27 ¹ Said conviction was ordered expunged pursuant to Section 1203.4 of the California Penal Code effective August 15, 2013.